

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE: CAROLYN HENDERSON PRESCOTT,
Debtor.

Case No. 10-35922-KRH
Chapter 7

BRUCE H. MATSON, TRUSTEE,

Plaintiff,

v.

APN 11-03103-KRH

JAZARCO INTERNATIONAL, A Trust
Organization and LLC, *et al.*,

Defendants.

AMENDED PRETRIAL ORDER

The Court entered a Pretrial Order in this Adversary Proceeding on May 18, 2011 (the “Original Pretrial Order”) that established procedures and schedules for conducting matters in preparation for the trial of this Adversary Proceeding and that set a Trial Date of October 18, 2011. On September 14, 2011, the parties filed a Joint Motion for Continuance and to Establish Status Conference which Motion was granted by the Court by Order entered October 14, 2011. Counsel for the Plaintiff and Defendant Melvin Palmer attended the status conference in lieu of trial on October 18, 2011 (the “Status Conference”) in accordance with the Court’s October 14, 2011 Order. At the Status Conference the parties advised the Court that the proposed settlement had not been consummated as of the date of the Status Conference as anticipated. Accordingly, the Court set a new date for the trial of this Adversary Proceeding (the “New Trial Date”); and it hereby establishes the following new pretrial schedule in this Adversary Proceeding. This

Amended Pretrial Order shall replace the schedule set forth in the Original Pretrial Order which shall otherwise remain in full force and effect unless specifically superseded by this Amended Pretrial Order. Failure to comply with this Amended Pretrial Order or the Original Pretrial Order shall result in appropriate sanctions.

1. The trial shall be held in the United States Bankruptcy Court, Room 5000, U.S. Courthouse, 701 East Broad Street, Richmond, Virginia on **November 29, 2011** (the “New Trial Date”) at **10:00 a.m.**

2. Unless otherwise previously filed in accordance with the Original Pretrial Order, on or before 14 days prior to the New Trial Date, the parties shall file with the Clerk a list of proposed exhibits and the proposed exhibits. The exhibits shall be filed in accordance with the instructions attached to the Original Pretrial Order. To the extent that any party has previously filed a list of proposed exhibits and the proposed exhibits, the party may (but is not required to) supplement the previously filed list on or before 14 days prior to the New Trial Date.

3. Objections to any of the proposed exhibits shall be filed on or before 7 days prior to the New Trial Date. Exhibits to which no timely objection has been made will stand as admitted into evidence.

4. Counsel for the Plaintiff shall file a list of witnesses in accordance with Rule 7026(a)(3)(A) of the Federal Rules of Bankruptcy Procedure that the Plaintiff intends to call to testify at trial on or before 14 days prior to the New Trial Date; and Defendants shall file a list of witnesses in accordance with Rule 7026(a)(3)(A) of the Federal Rules of Bankruptcy Procedure that the Defendants intend to call at trial not later than 10 days prior to the New Trial Date. Counsel for Plaintiff may file a list of rebuttal witnesses on or before 7 days prior to the New Trial Date.

5. The parties shall file a designation of those witnesses whose testimony is expected to be presented by means of a deposition and a redacted transcript of the pertinent portions of the deposition testimony on or before 14 days prior to the New Trial Date. Any other party may file counter designations of the redacted portions of the deposition transcript they deem relevant not later than 10 days prior to the New Trial Date. Objections to the use under Rule 7032(a) of the Federal Rules of Bankruptcy Procedure of a deposition so designated by another party shall be filed on or before 7 days prior to the New Trial Date.

6. It is the responsibility of all parties or, if applicable, counsel for the parties to be thoroughly acquainted with and follow the procedures set forth in the statutes, the national and local bankruptcy rules, and the requirements of the judge.

7. The Clerk shall forward a copy of this order to all counsel of record.

SO ORDERED: _____

/s/Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE